

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ABDEL FATTAH,

Plaintiff,

v.

JOHN T. SYMONS, D.O., *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-10-1607

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SAPORITO)

ORDER

NOW, this 16th day of September, 2015, **IT IS HEREBY ORDERED** that:

- (1) Magistrate Judge Saporito's Report and Recommendation (Doc. 105) is **ADOPTED**.
- (2) Defendant John T. Symons' Motion to Dismiss the Second Amended Complaint (Doc. 81) is **GRANTED**.
- (3) Plaintiff is granted **twenty-one (21) days** from the date of entry of this Order to file a third amended complaint.
- (4) The action is **RECOMMITTED** to Magistrate Judge Saporito for further proceedings.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge